

JUDGE: BURGESS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

UNITED STATES OF AMERICA,)	
)	NO. CR06-5352FDB
Plaintiff,)	
)	ORDER GRANTING STIPULATED
v.)	MOTION TO CONTINUE TRIAL
)	DATE
JASON B. TIFFIN,)	
)	
Defendant.)	
_____)	

Based on the stipulated motion of the parties to continue the trial date, and the affidavit of defense counsel in support of the motion, and the defendant's signed waiver of speedy trial through February 28, 2007, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(I).
3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

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4. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation for his defense. 18 U.S.C. § 3161(h)(8)(B)(iv).

NOW, THEREFORE,

IT IS HEREBY ORDERED that the trial date in this case is continued from November 27, 2006 to February 20, 2007, at 9:00 a.m. The resulting period of delay from November 27, 2006, up to and including the new trial date of February 20, 2007, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

Pre-trial motions are due on later than December 20, 2006.

DONE this 15th day of November, 2006.

A handwritten signature in black ink, appearing to read 'Franklin D. Burgess', is written over a horizontal line.

JUDGE FRANKLIN D BURGESS

United States District Judge

Presented by:

/S/ Ronald D. Ness

Attorney for Defendant

Telephonically approved by:

/s/ William H. Redkey, Jr.

Assistant United States Attorney

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